



27W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Hiroyuki EHARA Group Art Unit: 2654
Appln. No.: 09/914,916 Examiner: V. Chawan
Filed: September 6, 2001
For: MULTIMODE SPEECH CODING APPARATUS AND DECODING
 APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated June 23, 2005, the Applicant notes that a Preliminary Amendment was filed on February 11, 2005, canceling original claims 1-12 in favor of new claims 13-22.

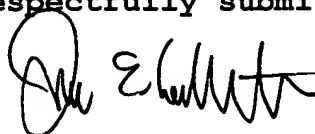
According to the US Patent and Trademark Office's image file wrapper for this application, the Preliminary Amendment was received by the Office on February 11, 2005, more than three months prior to the examiner's search of the claimed subject matter, which occurred on May 19, 2005.

Since the Office received Applicant's Preliminary Amendment well before the application was examined for the purpose of restricting the claims, the Applicant submits that withdrawal of the Restriction Requirement is warranted.

Additionally, as stated in the Preliminary Amendment, the Applicant submits that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: July 13, 2005
JEL/DWW/att

Attorney Docket No. L9289.01180
STEVENS DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
P.O. Box 34387
Washington, D.C. 20043-4387
Telephone: (202) 785-0100
Facsimile: (202) 408-5200